

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WAYNE A. PORRETTI,

Case No. 2:22-cv-00545-APG-DJA

Plaintiff,

ORDER

v.

DANIELS, *et al.*,

Defendants.

I. DISCUSSION

Plaintiff initiated this case with a civil rights complaint. (ECF No. 1-1). But Plaintiff did not pay the \$402 filing fee or file an application to proceed *in forma pauperis*. On April 4, 2022, the Court ordered Plaintiff to file a complete application to proceed *in forma pauperis*, or pay the full \$402 filing fee, on or before June 3, 2022. (ECF No. 3.) Plaintiff has filed a motion requesting a “continuance” to file an application to proceed *in forma pauperis*. (ECF No. 5.) The Court construes this as a motion for an extension.

In his motion, Plaintiff states that he submitted his request for documentation to complete his application to proceed *in forma pauperis* on April 22, 2022, but that it takes an average of four to eight weeks to complete the paperwork. (*Id.* at 1.) The Court grants Plaintiff’s motion for an extension. The motion does not request any specific time for the extension, and the Court will give Plaintiff until August 14, 2022, to file an application to proceed *in forma pauperis* or pay the \$402 filing fee. Baring unusual circumstances, the Court does not anticipate granting any further extensions. If Plaintiff does not file a complete application to proceed *in forma pauperis*, or pay the \$402 filing fee by August 14, 2022, this case will be subject to dismissal without prejudice.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that Plaintiff’s motion for an extension to file his application to proceed *in forma pauperis* (ECF No. 5) is GRANTED. On or before **August 14, 2022**, Plaintiff shall either: (1) file a fully complete application to

1 proceed *in forma pauperis*; or (2) pay the full \$402 fee for filing a civil action (which
2 includes the \$350 filing fee and the \$52 administrative fee).

3 IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order,
4 this case will be subject to dismissal without prejudice for Plaintiff to refile the case with
5 the Court, under a new case number, when Plaintiff is able to submit a fully complete
6 application to proceed *in forma pauperis* or pay the full \$402 filing fee for a civil action.

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8 DATED THIS 14th day of June 2022.

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12 DANIEL J. ALBREGTS
13 UNITED STATES MAGISTRATE JUDGE
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